

08/02/01
JC928 U.S. PTO

08-06-01

Box 597 A

Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/2002, OMB 0651-0032
Patent and Trademark office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional application under 37 C.F.R. § 1.53(b))	Attorney Docket No.	E-1823 CIP
	First Inventor or Application Identifier	Gao, et al.
	Title	An Isolated Yeast Promoter Sequence And A Method Of
	Express Mail Label No.	EJ743858943US

JC971 U.S. PTO
09/921944

08/02/01

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
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1. <input checked="" type="checkbox"/> *Fee Transmittal Form (e.g. PTO/SB/17) (Submit an original and a duplicate for fee processing)	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Program (Appendix)
2. <input checked="" type="checkbox"/> Applicant claims small entity status.	8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
3. <input checked="" type="checkbox"/> Specification [Total Pages 18]	a. <input checked="" type="checkbox"/> Computer Readable Form (CRF)
(preferred arrangement set forth below) - Descriptive title of the Invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to Microfiche Appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure	b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM of CD-R (2 copies); or ii. <input checked="" type="checkbox"/> paper c. <input checked="" type="checkbox"/> Statements verifying identity of above copies
4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 7]	ACCOMPANYING APPLICATION PARTS 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 C.F.R. § 3.73(b) Statement (when there is an assignee) <input type="checkbox"/> Power of Attorney 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) 16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input type="checkbox"/> Other:
5. Oath or Declaration [Total Pages <input type="checkbox"/> a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d)) i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).	
6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No: 09/632,314
 Prior application information: Examiner: Group/Art Unit: 1632

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	(29171)	or <input type="checkbox"/> Correspondence address below
Name	Stephen R. May	
Address	Intellectual Property Services, Battelle Memorial Institute, Pacific Northwest Division, P.O. Box 999	
City	Richland	State WA Zip Code 99352
Country	USA	Telephone (509) 375-2387 Fax (509) 375-4487

Name (Print/Type)	Stephen R. May	Registration No. (Attorney/Agent)	29,255
Signature	<i>Stephen R. May</i>	Date	Aug 2, 2001

SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, and DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL For FY 2001 Patent fees are subject to annual revision		Complete If Known	
		Application Number	not yet assigned
		Filing Date	herewith
		First Named Inventor	Johnway Gao et al.
		Examiner Name	not yet assigned
		Group/Art Unit	not yet assigned
		Attorney Docket No.	E-1823 CIP
TOTAL AMOUNT OF PAYMENT		(\$) 355.00	

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																																									
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to Deposit Account Number 02-1275 Deposit Account Name Battelle Memorial Institute - PND <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status		3 ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Fee</th> <th>Small Fee</th> <th>Entity Fee</th> <th>Entity Fee</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge- late filing fee or oath</td> <td></td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge- late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>390</td> <td>216</td> <td>195</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>890</td> <td>217</td> <td>445</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,390</td> <td>218</td> <td>695</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,890</td> <td>228</td> <td>945</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>310</td> <td>219</td> <td>155</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>310</td> <td>220</td> <td>155</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>270</td> <td>221</td> <td>135</td> <td>Requesting for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>141</td> <td>1,240</td> <td>241</td> <td>620</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>142</td> <td>1,240</td> <td>242</td> <td>620</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>143</td> <td>440</td> <td>243</td> <td>220</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>144</td> <td>600</td> <td>224</td> <td>300</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>126</td> <td>240</td> <td>126</td> <td>240</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>146</td> <td>710</td> <td>246</td> <td>355</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td>149</td> <td>710</td> <td>249</td> <td>355</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td>179</td> <td>710</td> <td>279</td> <td>355</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> </tbody> </table>		Large Fee	Small Fee	Entity Fee	Entity Fee	Fee Description	Fee Paid	105	130	205	65	Surcharge- late filing fee or oath		127	50	227	25	Surcharge- late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	390	216	195	Extension for reply within second month		117	890	217	445	Extension for reply within third month		118	1,390	218	695	Extension for reply within fourth month		128	1,890	228	945	Extension for reply within fifth month		119	310	219	155	Notice of Appeal		120	310	220	155	Filing a brief in support of an appeal		121	270	221	135	Requesting for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - 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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Stephen R. May	Registration No (Attorney/Agent)	29,255
Signature	<i>Stephen R. May</i>	Telephone	(509) 375-2387
		Date	Aug 2, 2001

SEND TO Assistant Commissioner for Patents, Washington, DC 20231

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
J Gao, RS Skeen, BS Hooker,)
DB Anderson)
)
)
For: AN ISOLATED YEAST PROMOTER) Our Ref. No: E-1823 CIP
SEQUENCE AND A METHOD OF)
REGULATED HETEROLOGOUS) Date: August 1, 2001
EXPRESSION)

STATEMENT IN ACCORDANCE WITH 37 C.F.R. 1.821(f)

I hereby state that the content of the paper and computer readable copies of the sequence listing, submitted in accordance with 37 C.F.R. 1.821(c) and (e), respectively, are the same.

Respectfully submitted,

Dated: Aug 2, 2001

By: Stephen R. May
Stephen R. May
Reg. No. 29,255

099194403001

EXPRESS MAILING LABEL #EJ743858943US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
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REGULATED HETEROLOGOUS) Date: August 1, 2001
EXPRESSION)

CERTIFICATE OF MAILING

Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

The undersigned hereby certifies that the attached:

- ☒ [X] Patent Application of 18 pages, and
- ☒ [X] Drawings of 7 Sheets
- ☒ [X] Fee Transmittal (2 ea.)
- ☐ [] Assignment / Cvr. Sheet
- ☐ [] Combined Declaration and Power of Attorney
- ☒ [X] Paper copy Sequence Listing/Diskette/Statement
- ☐ [] Information Disclosure
- ☐ [] with attachments

are being deposited with the United States Postal Service as:

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in an envelope addressed to the Assistant Commissioner for
Patents, Washington, D.C. 20231, on the date set forth below.

Janice K. Laybourn
Signature

8/2/01
Date

Janice K. Laybourn K1-53
Intellectual Property Services
Battelle Memorial Institute
Pacific Northwest Laboratories
P.O. Box 999
Richland, WA 99352
(509) 375-2655

099444-000201